Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)
	)
OET Request for Comments Re	) ET Doc. No. 09-38
Starkey Labs Request for Waiver	)
Of Part 15 Rules in 902-928 MHz	) DA 09-676

To: Office of the Secretary

<u>Request to Accept Filing</u>

Parties filing this Request to Accept are listed on the signature page and include

Tele‑saurus Holdings GB LLC and Skybridge Spectrum Foundation (the "Parties").

Please see attached ECFS error message sheet and the added Declaration at the bottom of

that sheet. For reasons stated therein, further described below, the Parties request that the FCC

accept their Reply Comments as timely submitted on May 11, 2009, or in any case accept and

consider the Reply Comments for a more full and complete record and since no other party to

this proceeding would be prejudiced as there are no further filings scheduled in the pleading

cycle.

In addition, see the other attached error message sheets. After the forth or fifth attempt,

with no changes in the filing attempts, ECFS accepted the filing, however, at that time it was past

9 PM Pacific time on May 11, 2009, which is midnight Eastern time. Since that is past the filing

deadline, the Parties submit this Request to Accept.

The undersigned has submitted scores of filings on ECFS in the past with no problems

using the same methods (as required and as is clear on the EFCS cover sheet) and the same

Internet browsers (Safari and Explorer) as used in the attempts that failed, noted above. In this

case, however, ECFS would not accept the filing, but responded with Error messages that I printed for my records, some of which are attached hereto.

I am not aware of why ECFS did not accept the filings and gave the error messages, and the error message did not identify any cause of the error which may have enabled me to correct the error. I am now aware of why, after the fourth or fifth attempt using the identical methods, EFCS then gave a confirmation of receipt.

Declaration

I declare under penalty of perjury that the foregoing, and the statement I added on the first attachment hereto, are true and correct.

Respectfully:

[Filed electronically. Signature on file.]

Warren Havens,
President of each Commenter:
Skybridge Spectrum Foundation
Telesaurus Holdings GB LLC
And with Telesaurus: its commonly-controlled LLCs holding AMTS, MAS, 220 MHz, and VPC licenses.

May 11, 2009

Address for each above entity:
2649 Benvenue Ave. #2-6
Berkeley, CA 94704
(510) 841 2220 – phone
(510) 841 2226 – fax

Certificate of Service

I, Warren Havens, certify that I have, on this 11th day of May 2009, caused to be served a copy of the foregoing Request to Accept, in accord with the service requirements stated in DA 09-676, to the following, in addition filing the Comments on ECFS:[1]

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554.

Patrick Forster
Office of Engineering and Technology
Federal Communications Commission
Room 7-A266, 445 12th Street, S.W.
Washington, D.C. 20554
    by e-mail to patrick.forster@fcc.gov

Best Copy and Printing, Inc. (BCPI)
Portals II, 445 12th Street, S.W., Room CY-B402
Washington, D.C. 20554,
    via e-mail to fcc@bcpiweb.com

[Filed Electronically. Signature on File.]

_____
Warren Havens

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[1] Any mailed copy being placed into a USPS drop-box today may not be processed by the USPS until the next business day.

ECFS Comment Submission: CONFIRMATION

5/11/09 2:02 PM

The above date
is correct but
the time is not
correct. -WH

Callback called exit.

Federal Communications Commission

ERROR:

sql='exec proc_CS_ins_upd_submsn4 @proceeding_name = " 09-38", @applicant_name = "telesaurus", @author_name = "", @lawfirm_name = "", @contact_name = "applicant_name", @contact_email_id = "", @address_line_1 = "2649 benvenue", @address_line_2 = "", @id_submission_type = 89, @id_submission_status = 10, @file_number = "", @viewing_status = "10", @city = "berkeley", @id_state = 5, @zip_code = "94704", @postal_code = "", @delagated_authority_number = "", @exparte_late_filed = "", @date_filed = "", @date_released = "", @date_rcpt = "", @server_name = "fjallfoss.fcc.gov", @path_info = "", @remote_addr = "71.141.255.215", @remote_host = "71.141.255.215", @remote_ident = "", @remote_user = "", @filed_from = "E", @hostname = "fjallfoss", @browser = "Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US) AppleWebKit/528.16 (KHTML, like Gecko) Version/4.0 Safari/528.16"'
A fatal error has occurred while loading your file.

Please try again later.
id_submission='-1'
Initiate a Submission | Search ECFS | Return to ECFS Home Page

FCC Home Page | Search | Commissioners | Bureaus/Offices | Finding Info

updated 12/11/03

Declaration.

I, the undersigned, declare under penalty of perjury that the below notes are true and correct.

Telesaurus- Skybridge filed Reply Comments in 09-38 on May 11, 2009, prior to 9 PM Pacific time (12 midnight Eastern time) on ESFC filling in all required fields and propertly uploading the filing. In response, EFCS gave an "Error" response substantially the same as (or it may have been identical to) the above.

These parties then started over, at least three times, and each time properly filed in the cover form on ECFS, to attempt the same filing on, and then got the above message (on the first re-try attempt) and got the same or essentially the same error message on each later attempt. The parties then attempted to file a "Brief Comment" on EFCS explaining this problem (thinking that perhaps the problem is with the upload fundction) but in submitting the Brief Comment, ECFS gave the same or substantially the same error message as above.

As noted above, the date is correct, but the time is not correct. Also, the messages says"try again later" but does not explain the problem to be corrected either by ECFS or the error that ECFS believes was caused by the filer or the filer browser, etc.

/s/
Warren Havens

Callback called exit.

Federal Communications Commission

ERROR:
sql='exec proc_CS_ins_upd_submsn4 @proceeding_name = '' 09-38'', @applicant_name = ''Telesaurus, Skybridge - 3rd attempt'', @author_name = '''', @lawfirm_name = '''', @contact_name = ''applicant_name'', @contact_email_id = '''', @address_line_1 = ''2649 Benvenue'', @address_line_2 = '''', @id_submission_type = 89, @id_submission_status = 10, @file_number = '''', @viewing_status = ''10'', @city = ''Berkeley'', @id_state = 5, @zip_code = ''94704'', @postal_code = '''', @delagated_authority_number = '''', @exparte_late_filed = '''', @date_filed = '''', @date_released = '''', @date_rcpt = '''', @server_name = ''fjallfoss.fcc.gov'', @path_info = '''', @remote_addr = ''71.141.255.215'', @remote_host = ''71.141.255.215'', @remote_ident = '''', @remote_user = '''', @filed_from = ''E'', @hostname = ''fjallfoss'', @browser = ''Mozilla/4.0 (compatible; MSIE 8.0; Windows NT 5.1; Trident/4.0; GTB6; .NET CLR 1.0.3705; .NET CLR 2.0.50727)'''
A fatal error has occurred while loading your file.

Please try again later.
id_submission='-1'
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